

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

JOHN JOSEPH MALLON

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CASE NO. 6:15-CR-00026-JRG

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The court referred a second amended petition alleging violations of supervised release conditions to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The court has received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence.

At the close of the revocation hearing, U.S. Magistrate Judge Zack Hawthorn recommended:

1. that the court find that the Defendant violated the first allegation in the second amended petition that he failed to follow a standard condition of release;
2. revoking the Defendant's supervised release pursuant to 18 U.S.C. § 3583; and
3. the Defendant should be sentenced to a term of 10 months' imprisonment, with one year of supervised release to follow, which includes 180 days of community confinement. His term of imprisonment should be served at the Federal Correctional Institute in Texarkana, if the Bureau of Prisons can accommodate such request. The court adopts the magistrate judge's findings for the imposition of the special conditions of supervised release.

At the close of the revocation hearing, the Defendant, defense counsel and counsel for the Government each signed a standard form waiving their right to object to the proposed findings


and recommendations contained in the magistrate judge's report, consenting to revocation of supervised release and imposition of the sentence recommended. The Defendant also waived his right to be present with counsel and to speak at sentencing before the court imposes the recommended sentence.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED and **ADJUDGED** that the petition is **GRANTED** and John Joseph Mallon's supervised release is **REVOKED**.

Judgment and commitment will be entered separately, in accordance with the magistrate judge's recommendations.

So ORDERED and SIGNED this 29th day of June, 2020.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE